2008/2009 : Report 3

OFFICE OF THE

Auditor General of British Columbia

Management of Aboriginal Child Protection Services

Ministry of Children and Family Development

May 2008

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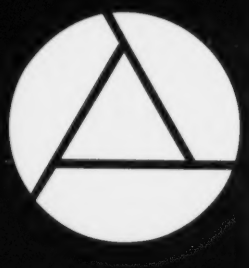

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The Honourable Bill Barisoff
Speaker of the Legislative Assembly
Province of British Columbia
Parliament Buildings
Victoria, British Columbia
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Dear Sir:

I have the honour to transmit herewith to the Legislative Assembly of British Columbia my 2008/2009 Report 3: Management of Aboriginal Child Protection Services.

John Doyle, MBA, CA
Auditor General of British Columbia

Victoria, British Columbia
May 2008

copy: Mr. E. George MacMinn, Q.C.
Clerk of the Legislative Assembly

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Foreword

Children are among the most vulnerable people in society. Most provinces in Canada have child welfare legislation in place to protect children from abuse and neglect and to help families overcome their problems so that children can grow up in a safe home environment. Where this is not possible, the goal is to find a safe, permanent home for the child.

The Auditors General of Canada and British Columbia are issuing separate audit reports to their respective legislatures on the management of child welfare services, including protection, for Aboriginal and First Nations children and families. The two audits were performed concurrently to present a broader perspective on child welfare services in British Columbia. Our offices shared methodologies and met jointly with some Aboriginal and First Nations agencies and other organizations.

The Auditor General of Canada looked at the First Nations Child and Family Services Program of Indian and Northern Affairs Canada (INAC) not only in British Columbia, but also nationwide. The audit covered primarily the management structure, the processes, and the federal resources used to implement the federal policy on First Nations child and family services on reserves. INAC funds the operating and administration costs of child welfare services provided to children and families ordinarily resident on reserves, as well as the costs related to children brought into care.

The Auditor General of British Columbia assessed whether the province's Ministry of Children and Family Development has the program design, resourcing, management, and accountability reporting to deliver effective, culturally appropriate services to Aboriginal children and families. The Ministry delivers child welfare services through both mainstream and Aboriginal service teams, as well as through Aboriginal and First Nations agencies that provide the services—either fully or in partnership with the Ministry. The Ministry is also responsible for ensuring that child welfare services meet the requirements set out in provincial legislation.

The federal and B.C. governments share similar principles in their policies for delivering child welfare services, both on and off reserves. Children and their families are to have equitable access to comparable services that are effective in meeting their needs. Where Aboriginal children, including First Nations children,

are concerned, the services are to be culturally appropriate. In addition, both governments support efforts to have Aboriginal and First Nations agencies deliver the services.

Outcomes for children

Nationally, INAC data show that about 5 per cent of the First Nations children living on reserves are in care; the Auditor General estimates that this proportion is almost eight times that of children in care residing off reserves.

Studies indicate that in British Columbia, an Aboriginal child is about 6 times more likely to be taken into care than a non-Aboriginal child. Of all B.C. children who are in care, 51 per cent are Aboriginal—yet Aboriginal people represent only about 8 per cent of B.C.'s population.

Neither the federal nor the B.C. government knows enough about the outcomes. What happens to these children who receive child welfare services? Are they better off? Our legislatures and Aboriginal and First Nations communities need to know if the services being provided make a difference. More and better information on outcomes is critical to measure the impact of services and to change or improve them where necessary.

Funding practices

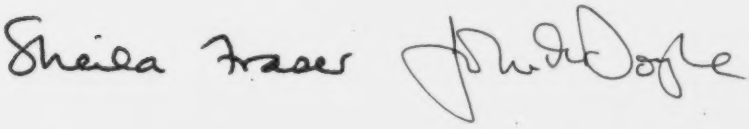
Neither government takes policy requirements sufficiently into account when establishing levels of funding for child welfare services. Under federal and provincial policies, Aboriginal children, including First Nations children, should have equitable access to a level and quality of services comparable with those provided to other children. Funding for the services needs to match the requirements of the policies and also support the delivery of services that are culturally appropriate—which is known to take more time and resources. Current funding practices do not lead to equitable funding among Aboriginal and First Nations communities.

Foreword

Need for improvements

Although access to good child welfare services alone cannot resolve some of the problems faced by Aboriginal and First Nations children and families, whether on or off reserves, the services are essential to protect these children from abuse or neglect. The overrepresentation of Aboriginal and First Nation's children in care—and the indications that outcomes are poor—call for all parties involved in the child welfare system to find better ways of meeting these children's needs.

Our audits have identified a number of other problems that also remain to be resolved, in the areas of staffing, capacity development, and monitoring. We urge our respective governments, working together and with Aboriginal and First Nations organizations, to take prompt action to carry out our recommendations.



Sheila Fraser, FCA
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Victoria, British Columbia
May 2008

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Executive Summary

Executive Summary

Purpose and Scope

The purpose of our audit was to determine how well the Ministry of Children and Family Development is managing British Columbia's efforts to provide effective, culturally appropriate and equitably accessible child protection services for Aboriginal[1] children and their families. Specifically, we assessed whether the Aboriginal child protection program is appropriately designed, resourced, managed and reported on to meet the goals set for it. Concurrently, the Auditor General of Canada has carried out a similar audit of Indian and Northern Affairs Canada's management of its responsibilities for child protection in British Columbia (as well as in several other provinces).

Of major concern is the fact that while Aboriginal children account for only eight per cent of the roughly one million children in British Columbia, they make up 51 per cent of children in the province's care. This is considerably higher than the national average of 30–40 per cent.

Child protection is one part of the child welfare services managed by the Ministry of Children and Family Development. We focused our audit on the high risk, high impact component of child welfare: child protection for children who may be at high risk of harm.

We examined the work of the ministry's central office and five regions. We also discussed the ministry's work with 10 of the 24 Aboriginal agencies delegated by the Province to deliver child welfare services. In auditing the current mix of service delivery—part by delegated Aboriginal agency, part by the ministry—we looked both at how the ministry itself delivers services and how it supports and monitors the delegated Aboriginal agencies. We did not directly audit agencies.

Conclusion

The Ministry of Children and Family Development has attempted to work collaboratively with Aboriginal organizations and the

[1] In this report, Aboriginal refers to First Nations, Métis and Inuit peoples. The Province of British Columbia recognizes anyone who identifies him or herself as Aboriginal.

federal government to deliver effective, culturally appropriate and equitably accessible child protection services, mainly through Aboriginal agencies to Aboriginal children and their families. However, several challenges (some anticipated, some not) have slowed the transfer to Aboriginal agencies of responsibility for delivering services. As a result, many of the child protection needs of Aboriginal children and their families continue to remain unmet.

Specifically, we concluded that:

- The ministry's Aboriginal child protection service delivery approach is only partly successful at delivering effective, equitably accessible and culturally appropriate services, mainly through delegated Aboriginal agencies.
- The ministry has not identified needs and resources required for Aboriginal child protection services.
- The ministry's change management practices are not in step with its current service delivery goals.
- The ministry does not report on how well Aboriginal child protection services are being delivered.

Initiatives are in place or being developed to deal with these challenges, but a more strategic approach is needed if Aboriginal child protection goals in British Columbia are to be met.

Key Findings and Recommendations

Our report contains a total of 10 recommendations intended to improve the delivery of child protection services for Aboriginal children.

The ministry's Aboriginal child protection service delivery approach is only partly successful at delivering effective, equitably accessible and culturally appropriate services, mainly through Aboriginal agencies

Only eight of the 24 delegated Aboriginal agencies have qualified to deliver full child protection services. Becoming qualified to deliver full child protection services has been too difficult for small agencies. This means it is likely the ministry will, for some time, have to continue providing some child protection services in many locations across the province. **We recommend the ministry, in consultation with First Nations and Aboriginal organizations, determine whether transfer of all child protection services to Aboriginal agencies is still viable and, if not, adjust the service**

delivery approach to support some continued ministry service that meets the needs of Aboriginal children and their families.

Standards developed to guide culturally appropriate child protection are already being used by delegated Aboriginal agencies but not by the ministry. **We recommend the ministry adopt the protection standards used by Aboriginal agencies as their own for Aboriginal children and their families.**

The ministry information does not measure whether a child's needs are met or if good outcomes are achieved. **We recommend the ministry, in consultation with First Nations and Aboriginal organizations, develop and monitor measures that determine whether a child's needs are met and if good outcomes are achieved.**

The ministry has not identified the needs and resources required for Aboriginal child protection services

The ministry has not had sufficient data and analysis on the level of child protection services needed by Aboriginal children and their families. **We recommend the ministry, in consultation with First Nations and Aboriginal organizations, obtain province-wide, community-by-community knowledge of Aboriginal child protection needs.**

As well, the ministry has not been able to reasonably determine staff resources required specific to Aboriginal children and their families. **We recommend the ministry, in consultation with First Nations and Aboriginal organizations, determine the resources (including social workers and support services) required to meet those needs in a culturally appropriate way.**

For these reasons, the ministry has been unable to determine the cost to deliver culturally appropriate child welfare services. As a result, it has been unable to develop a persuasive business case to negotiate for both provincial and federal funding. Thus, the ministry faces funding gaps of these critical labour and resource-intensive services. **We recommend the ministry make a persuasive business case for the funding needed to deliver the services in an effective way.**

There is also a shortage of Aboriginal social workers, Aboriginal service providers and supports for both the ministry and delegated Aboriginal agency programs. **We recommend the ministry, in partnership with Aboriginal agencies, develop Aboriginal human resources to meet the needs of both the ministry and delegated Aboriginal agencies.**

Executive Summary

The ministry's change management practices are not in step with its current service delivery goals

The ministry's management of the significant change to a child protection system that delivers culturally appropriate, equitably accessible and effective services, mainly through delegated Aboriginal agencies, has been of only limited success. Despite the intent to work collaboratively to support delegated Aboriginal agencies, some ministry change practices are seen by some of them as not being in the spirit of building the partnership to make the shift. Furthermore, since the ministry continues to provide child protection to Aboriginal children, "culturally appropriate practice" needs to be better defined within the ministry and supported and required by management if this approach shift is to be successful. **We recommend the ministry, in consultation with First Nations and Aboriginal organizations establish an effective change management strategy.**

The lack of an effective collaborative approach by the provincial oversight groups means there is limited action taken even when information is collected on non-compliance, gaps and other problems. Tripartite groups such as the Partnership Table and the Joint Aboriginal Management Committee have been established to help carry out this function, but their roles are loosely defined, and they are used more to air concerns than to seek solutions. **We recommend the ministry, in consultation with First Nations and Aboriginal organizations and Indian and Northern Affairs Canada, collect and evaluate meaningful information on any child protection service delivery gaps; and find solutions to close those gaps.**

The ministry does not report on how well Aboriginal child protection services are being delivered

Only limited information is provided in the ministry's Annual Service Plan Report. Without adequate reporting of the costs, successes and challenges of the Aboriginal child welfare program (including child protection) the ministry is not providing adequate accountability information about the impact services are having on the children. **We recommend the ministry provide information to the Legislative Assembly and the public on the costs, successes and challenges of the Aboriginal child welfare program, consistent with the B.C. Reporting Principles.**

General Response

The Ministry of Children and Family Development (MCFD) is pleased to provide a formal response to the Office of the Auditor General's review entitled, *Management of Aboriginal Child Protection Services*.

This audit report observes that MCFD has worked collaboratively with Aboriginal organizations and the federal government to deliver effective, equitably accessible and culturally appropriate services, mainly through delegated agencies, and recognizes the complexities and challenges in transferring these services.

We are pleased to note that MCFD is already in the process of implementing most of the recommendations. However, successful implementation of some of the recommendations will require increased cooperation from Indian and Northern Affairs Canada (INAC) who are responsible for funding services for First Nations on reserves.

Our continued work is fully outlined in our Action Plan – *Strong, Safe and Supported – A Commitment to British Columbia's Children and Youth*. One of the pillars for an effective child, youth and family development service system is that Aboriginal people will be supported to exercise jurisdiction in delivering child and family services. To this end, we will continue to work collaboratively with First Nations communities and Aboriginal agencies as well as continue to engage further with INAC on funding issues.

Delivery of services on reserves is a shared responsibility with INAC who are responsible for funding. MCFD will seek greater collaboration with INAC and continue to work together with First Nations communities and Aboriginal agencies to determine service needs.

With respect to delegated Aboriginal agencies, much progress has been achieved since the development of the first delegated First Nations agency in 1987. At the time of this report, 24 delegated Aboriginal agencies have been established, representing 118 First Nations bands, as well as Métis and urban communities. By March 2008, 1,577 Aboriginal children in care were support by delegated agencies in British Columbia compared to only 542 in 2000/2001 — an increase of almost 300 per cent in seven years. Other agencies are currently in start-up or under discussion.

Several delegated First Nations agencies have expanded their services into their traditional geographic areas off reserve. These services will continue to develop incrementally with the interest and capacity of the Aboriginal community to deliver services, working in collaboration with MCFD and INAC.

MCFD's *Operational Plan* highlights the work which is underway and will continue over the next five years. We will continue to consult and work with Aboriginal leaders, organizations, delegated agencies and communities to strengthen and enhance service delivery. Many initiatives are underway, provincially and regionally, to support needs assessment, enhance services, support appropriate funding levels, strengthen human resource capacity and achieve better outcomes for Aboriginal children, youth and families.

This audit report will further inform and support MCFD's partnership with First Nations and Métis leaders, service providers and communities to deliver effective services that are equitably accessible and culturally appropriate.

We thank you and your staff for the cooperation and opportunity to provide information and feedback which will assist us in implementing the recommendations in a positive way from now and into the future on behalf of all Aboriginal children, youth and families in this province.

Sincerely

Lesley du Toit
Deputy Minister

Detailed Report

The care and safety of children are responsibilities first and foremost of their parents and their extended family. Beyond that, however, the Child, Family and Community Service Act of British Columbia requires anyone who believes that a child may be neglected, abused or otherwise in need of protection to promptly report the matter to the Ministry of Children and Family Development. The ministry must then assess reports of abuse or neglect and, if needed, step in.

According to the ministry figure for 2006/07, of the approximately one million children living in British Columbia that year, 4,615 were found to be in need of protection—a number that is relatively unchanged from previous years and is proportionately consistent with experience in other provinces.

What is meant by "child abuse and neglect"?

Physical abuse: any physical force or action that results, or could result, in injury to a child. It is stronger than what would be considered reasonable discipline.

Sexual abuse: the use of a child for sexual gratification. It includes sexual touching and non-touching abuse, such as making a child watch sexual acts.

Emotional abuse: a pattern of destructive behaviour or verbal attacks by an adult on a child. It can include rejecting, terrorizing, ignoring, isolating, exploiting or corrupting a child.

Neglect: failure to provide for a child's basic needs: food, clothing, adequate shelter, supervision and medical care.

Neglect is the form of abuse most frequently reported to the Ministry of Children and Family Development.

Source: Adapted from the British Columbia Child, Family and Community Services Act by Ministry of Child and Family Development

The ministry provides a range of child welfare services for children, youth and their families (see sidebar following page). It describes its program as a continuum of services, from the least intrusive (promoting the care and well-being of all children) to the most intrusive (assuming permanent care of a child).

Background

Child protection provided as part of a continuum of services is a key direction in the ministry's child welfare program

Child welfare services provided by the Ministry of Children and Family Development:

- Family development, to strengthen and preserve families and to ensure that families whose children are at risk of harm receive the necessary support services;
- Residential and foster care;
- Permanency and adoption plans for children permanently in care of the Province;
- Community child and youth mental health services;
- Child protection to ensure that children at risk of harm are protected from further abuse or neglect;
- Community youth justice supervision services; and
- Services to assist youth who are at risk or who are sexually exploited.

Child protection services are legally mandated social services in British Columbia for children who are neglected or abused. Child protection is the high risk, intrusive aspect of child welfare services.

Obviously, proactive services that aim to prevent maltreatment in the first place are more effective in reducing child abuse and its effects than are services provided after abuse or neglect has occurred. Critical to reducing child abuse and neglect is addressing the root causes before maltreatment occurs. Unemployment, poor housing and poverty can fuel alcoholism, drug abuse, and violence that put children at risk in their homes.

According to the Honourable Ted Hughes, in his 2006 report the *B.C. Children and Youth Review*, children in the care of the state fare less well than those in their own homes, even if those homes pose a degree of risk. Balancing the legal investigation role with a "helper" role that looks broadly and long term at the child's well-being is therefore seen as the best approach to providing protection services. In light of this thinking, the ministry adopted the following approach in 2007: instead of focusing on providing child protection in isolation, it would provide a continuum of services. The intent is to connect children and families to the best service on the basis of assessed strength, needs and risks rather than in reaction to crisis and potential risk alone.

Child protection services unfold in a series of steps

A report that a child may be abused or neglected leads to a series of actions: intake; assessment; deciding the best way to help; finally, if necessary, an investigation, family development or youth service response.

When the ministry office first receives a report that a child may be abused or neglected, a child protection worker must decide whether the notice is only a request for voluntary services or whether it raises a child protection concern. If it is the latter, the report must be assessed and the most appropriate response selected.

Background

Decisions about what is best for children at risk can ultimately affect their whole lives. Child protection workers and supervisors (and often the court system and the extended family) must ask a series of difficult questions: Does a report mean a child may be abused? Is risk of harm immediate? Does a child need ongoing protection from abuse? Can services keep a child in his or her home or community? Good decisions are timely (fast but not too fast), and well-considered (taking into account all options and their most likely outcomes). They are also those that produce a satisfactory result.

If a child is found to be at high risk or a reported child's parents are unwilling to cooperate with queries made by a child protection worker, an investigation is triggered. Sexual abuse, serious physical abuse or court orders are all examined, sometimes with police help. Workers knock on doors, ask personal questions, look inside kitchens, check a child's body for bruises, and talk with the child and with people who know him or her. If the investigation concerns Aboriginal children, the workers contact the Aboriginal community or Aboriginal agency. A decision about whether a child needs protection is usually reached within 30 days. A "yes" leads to a search for the least disruptive action. Children are removed from their homes only when they are in immediate danger and nothing less disruptive can protect them. A "no" leads to the investigation being closed.

Child protection investigations, while necessary, can create a difficult climate in which to work with families. Parents may feel stigmatized and extended family and community members may feel distanced from their role in caring for their children. Some families are investigated repeatedly, yet may not receive support services until more intrusive and costly intervention becomes necessary. When the ministry's resources are invested heavily in investigations, this means that fewer preventative services are available for vulnerable children.

A newer option for child protection workers is to assess reports and (in less serious situations) give the family support services to keep the child safe. Parents must be willing to cooperate with the social worker in developing a plan that is based on assessment of family needs and strengths and that addresses the child's needs. They must also demonstrate an ongoing willingness to accept and make use of necessary services. The case remains open while a

social worker works with the family. If risk to the child increases, the case may be referred for investigation to determine whether further intervention is needed. Differential Response models such as this are used in other jurisdictions, most recently in Alberta. Research suggests the majority of families referred to the child welfare system can be appropriately served by support services rather than continued child protection intervention.

Almost 50 per cent of support services provided to children and families, such as parent training or the placement of children with a relative or a foster home, are provided through ministry contracts with community service providers. The role of the ministry in such cases is to:

- develop and negotiate contracts for services on behalf of their clients,
- monitor delivery of the service, and
- assess the effectiveness and outcomes of the service for the client.

Providing protection for Aboriginal children is a complex undertaking

The troubled history of relations between Canada's First Nations and the rest of the population has left many unresolved problems. As British Columbia's Provincial Health Officer noted in his 2001 report on *The Health and Well-being of Aboriginal People in British Columbia:*

> The high rate of Aboriginal children-in-care reflects the historical disadvantages experienced by Aboriginal communities. Residential schools caused generations to grow up without opportunities to develop parenting skills. Poverty, unemployment, relative isolation, and inadequate housing all contribute to family disruption. When Aboriginal families experience difficulties, they have not always been given the resources and support they need to ensure that children are raised in their home communities and culture.

Aboriginal children make up only eight per cent of all children in the province but 51 per cent of children in legal care—higher than the national average of 30 – 40 per cent. In addition, the number of Aboriginal children in care in British Columbia continues to

The Child, Family and Community Services Act states the following:

- If the child is Aboriginal, the importance of preserving the child's cultural identity must be considered in determining best interest;
- Aboriginal people should be involved in the planning and delivery of services to Aboriginal families and their children;
- Services should be planned and provided in ways that are appropriate to the needs and the cultural, racial and religious heritage of those receiving the services; and
- The Aboriginal community should be involved, wherever possible and appropriate, in the planning and delivery of services, including preventive and support services to families and children.

increase, while the number of non-Aboriginal children-in-care has decreased.

On top of that, Aboriginal children in the care of the Province fare even worse than non-Aboriginal children in care. They experience higher rates of illness, injury and death by all causes (including suicide); slower academic progress and a lower rate of high school graduation; and higher rates of incarceration and of eventual dependence on income assistance.

Aboriginal people generally see the removal of children from their community as being extremely detrimental to the child's best interests. From an Aboriginal perspective, community ties are more important, than economic, educational and other opportunities.

The Province, aware of all of these facts, has responded by mandating specific principles of service delivery for Aboriginal children and their families. The Child, Family and Community Services Act states that if children are Aboriginal, then preservation of their cultural identity must be considered in determining what actions would be in their best interests (see sidebar).

Achieving good results with child protection services is difficult

Several indicators show that British Columbia's child protection services have not been performing as expected. According to the ministry's Annual Report 2006/07:

- Nearly 30 per cent of British Columbia families involved previously with the ministry experienced a recurrence of abuse or neglect in 2006. This is an increase over the previous year, and above the ministry target of 17.5 per cent. Reducing recurrence of abuse or neglect is a focus of child protection.
- Nearly 30.5 per cent of Aboriginal children-in-care are served by delegated Aboriginal agencies. This is essentially unchanged since 2004 and below the ministry target of 36 per cent.
- Aboriginal children stay longer in care than do non-Aboriginal children. Of the children discharged from care in March 2007, the average time spent in care was 29 months for Aboriginal children and 22 months for non-Aboriginal children.

Aboriginal cases in March 2007 accounted for 27 per cent of protection reports, 30 per cent of investigations, 39 per cent of investigations found in need of protection, and 37 per cent of admissions. The proportion of protection reports considered to be high risk is greater for Aboriginal children than non-Aboriginal. Neglect is the most common reason for reporting. Researchers have found that poverty, poor housing and caregiver substance misuse account in large part for the over-representation of Aboriginal children-in-care.

British Columbia has two initiatives underway for improving protection services for Aboriginal children

Both of the provincial initiatives for improving Aboriginal child protection reflect the principle that Aboriginal people should be involved in the planning and delivery of services. The better known initiative is to move authority for overseeing delivery of child protection services from the ministry to Aboriginal authorities. Because this initiative is still underway it was not part of our audit.

Meanwhile, with less fanfare, the ministry has been devolving responsibility for delivering child protection services to delegated Aboriginal agencies since 1987. The intention is to have these agencies replace ministry delivery and offer culturally-appropriate service under Aboriginal governance—a response meant to better address unique Aboriginal needs. Through delegation agreements, the Provincial Director of Child Welfare gives authority to these agencies to deliver child protection services. In a graduated delegation process, based on meeting readiness criteria between each stage, the delegated Aboriginal agencies advance progressively through four increasingly complex stages.

Two types of Aboriginal agencies are in place:

- First Nations delegated agencies, which are governed by Aboriginal bands and associated with reserves, and which receive federal funding; and
- Urban delegated Aboriginal agencies, which are governed by independent Aboriginal boards and, not associated with reserves, and which receive provincial funding only.

Background

Our Audit Expectations

In examining the steps taken by the Ministry of Children and Family Development to design, resource, manage and report on its Aboriginal child protection program, we set four main expectations against which to assess the ministry's performance. In summary, we expected the program to be:

- appropriately designed to deliver effective, equitably accessible and culturally appropriate Aboriginal child protection services, mainly through delegated Aboriginal agencies;
- appropriately resourced to deliver services differently (that is, better) and to run parallel child protection services during the transfer;
- appropriately managed to ensure the goals of the program are met; and
- appropriately reported on, describing both objectives and achievement.

In the following sections of this report, we present our audit findings and conclusions about the extent to which the ministry is meeting these expectations.

The ministry's Aboriginal child protection service delivery approach is only partly successful at delivering effective, equitably accessible and culturally appropriate services, mainly through delegated Aboriginal agencies

To be effective, we expected the ministry's Aboriginal child protection service delivery approach would be:

- supported by program objectives that are clear, accepted, and measurable; and
- governed by appropriate standards that ensure a child's protection needs are being met.

We concluded that, judged against these expectations, the ministry's service delivery approach is achieving only partial success.

Transfer of responsibility for delivering Aboriginal child protection has been underway for more than 20 years, with efforts increasing over the last four years. Even so, only eight of the 24 delegated Aboriginal agencies are delivering full child protection services. There are several reasons for this slow uptake.

Also, during the transition, the ministry has focused on having its own staff deliver services differently, in a more culturally-appropriate way. However, the changes the ministry knows it must make to do this are still under development. Two of these changes—providing services that focus on family strengths and including extended family in child protection decisions—require new decision-making tools and training.

Meanwhile, child protection standards that were developed by Aboriginal people and include culturally-appropriate service are being used by delegated Aboriginal agencies, but not by the ministry. That aside, measurement of compliance with both the Aboriginal standards and ministry standards focus on actions taken and timelines—not on whether a child's needs were met or if the services resulted in good outcomes.

Ministry objectives for Aboriginal child protection are accepted by those delivering the program, but the changes required to meet them have been only partly implemented.

The ministry's current service plan sets out clear objectives for Aboriginal child protection (see sidebar). Ministry staff and delegated agency directors that we interviewed are aware of these objectives and generally agreed with the direction they set. Many of these individuals also say they are hopeful that Aboriginal child protection services can move toward meeting at least some of these objectives.

The ministry's Aboriginal child protection service delivery approach is only partly successful at delivering effective, equitably accessible and culturally appropriate services, mainly through delegated Aboriginal agencies

Objectives for child welfare, including Aboriginal child protection, set out by the Ministry of Children and Family Development:

1. Supports to children, youth, families and communities recognize their strengths and enhance their development.
2. Children, youth and families have access to a wide range of support services that are more holistic and integrated.
3. Culturally-appropriate services are strengthened and enhanced.
4. Aboriginal communities and agencies have greater opportunities to design and deliver services.

Source: Ministry of Children and Family Development Service Plan 2007/08 - 2009/10

For objectives 1, 3, and 4, however, we see significant flaws in the ministry's current approach to delivering Aboriginal child protection services, summarized below. For the second objective (concerning access), the barriers have more to do with resourcing, as discussed in the next section.

Recognizing strengths rather than just risks calls for a significant change in ministry approach

To move from focusing on risks to focusing on strengths represents a major shift in the ministry's approach. Child protection workers have long been required to make extremely difficult decisions about a child's immediate safety and the likelihood of future serious harm. There is always the potential that a decision made could result in a child being removed unnecessarily from his or her home, or in a child suffering further maltreatment if left in the home. For child protection workers, it is always a challenge trying to weigh the immediate risk to the child against the longer-term potential for positive change in the home.

From 1996 until recently, the *B.C. Risk Assessment Model for Child Protection* was mandatory for child protection workers to use in assessing reports of suspected abuse or neglect and reducing the risk of harm. Intended to guide one decision only—investigate or not—this assessment model has now become a less effective means of assigning children to the most appropriate response among multiple options. Use is therefore optional, and some delegated Aboriginal agencies have adopted other models. The ministry recognizes the tools selected to support decision-making need to be modified to promote more collaborative, "strength-based" responses. The Ministry teams we interviewed now generally use

The ministry's Aboriginal child protection service delivery approach is only partly successful at delivering effective, equitably accessible and culturally appropriate services, mainly through delegated Aboriginal agencies

the risk assessment model just as an "outline" to collect information, relying on professional judgement and the supervisory approval to guide decisions.

A similar situation exists in many other jurisdictions, where past "deficit-based" assessment models (like British Columbia's) have given way to more balanced "strength-based models. The latter form of assessment still considers the risk factors for a child or family, but also highlights what a family is able to achieve and what strengths can be drawn upon in the extended family or community. Alberta, New Zealand, and Ontario have adopted such approaches.

A next step—development of a strength-based child protection decision-making model—is one the ministry knows is needed and has committed to do this in its Draft Good Practice Action Plan.

"Culturally-appropriate" has not been operationally defined

Neither cultural sensitivity nor cultural appropriateness appears to have been formally defined by the ministry. Ministry staff and delegated agency directors have varying personal definitions of the terms. For some, cultural sensitivity means understanding and respecting Aboriginal children and families and their values. And culturally-appropriate, in reference to services, generally means those that are acceptable to an Aboriginal community and delivered with respect and understanding. Implied in this term is the need for the ongoing building of a relationship between the service provider and community.

The ministry measures these concepts by counting the number of Aboriginal children receiving services from Aboriginal agencies. What this does not capture is how well the ministry is doing when it delivers the services, and the improvements it needs to make to meet the Aboriginal children's needs.

Several capacity barriers will likely prevent full delegation of child protection to Aboriginal agencies

Since the late 1980s the ministry has been devolving responsibility for delivering child protection services to delegated Aboriginal agencies. A support team in Victoria is responsible for developing the delegation process and overseeing its implementation. The ministry's goal is to devolve all child protection services

The ministry's Aboriginal child protection service delivery approach is only partly successful at delivering effective, equitably accessible and culturally appropriate services, mainly through delegated Aboriginal agencies

for Aboriginal children. So far, 30 per cent of 4,721 Aboriginal children-in-care are now the responsibility of delegated Aboriginal agencies, who are mostly at level 13 (see Exhibit 1).

At the time we carried out our audit, only eight of the 24 delegated Aboriginal agencies were qualified to deliver full child protection services. Although it is expected that all Aboriginal agencies entering the delegation process will eventually become qualified to deliver full child protection services, at this point the small agencies find it too difficult to take on full child protection service—one that requires, for example, qualified staff to be on call at all times.

Thus, the anticipated completion of the transfer to full child protection, particularly by the small agencies, in our opinion will likely not be possible into the foreseeable future. Realistically, the ministry will have to continue providing some Aboriginal child protection services indefinitely.

Exhibit 1:

Number of delegated Aboriginal agencies by operational stage

Operational Stage	Number of Agencies
Start-up: Planning Stage	2
Level 12: Resource Development and voluntary service delivery	3
Level 13: Guardianship services for continuing custody wards	11
Level 15: Full Child protection services (including investigation)	8
Total	**24**

Source: MCFD Aboriginal Children in Care Quarterly Report, March 2007

For its part, the ministry has decided that until all services are moved to Aboriginal governance, it will improve its own interim services to vulnerable Aboriginal children, families and communities.

Most ministry regions established Aboriginal service teams to help bridge the transfer of this work to delegated Aboriginal agencies. Services delivered by these teams are expected to meet ministry standards and be more culturally-appropriate and accountable to the communities and Aboriginal people served.

The ministry's Aboriginal child protection service delivery approach is only partly successful at delivering effective, equitably accessible and culturally appropriate services, mainly through delegated Aboriginal agencies

The ministry has also been working with Aboriginal communities and agencies to intervene early and work cooperatively with families in order to reduce the need to remove children from home. It has offered, for instance:

- collaborative planning and decision-making with families outside the courts (for example, through family conferences or mediation),
- alternatives to foster care for children whose parents are unable to care for them, including placements with relatives,
- an initiative to safely reunite Aboriginal children in care with their families and communities,
- cultural awareness training for staff working with Aboriginal children and families,
- revision of standards and policies to shift practice from a focus on investigation to more collaboration and strengthening of vulnerable children and families, and
- provision for lower risk cases (where parents are cooperative), of intensive and timely services to help families address these risks.

We believe that the Ministry must accept that it will continue to have a role in delivering Aboriginal child protection services, and must commit to making its interim measures permanent and more effective.

Standards for delivery of Aboriginal child protection vary and measurement of compliance with them does not provide assurance a child's needs are met

In the 1990s delegated Aboriginal agencies were given the option of developing their own standards, as long as those standards were equivalent to or better than the ministry's. They chose that option, producing the *Aboriginal Operational and Practice Standards and Indicators* in 1999 (revised in 2004). These standards reflect current legislation and were approved by the ministry.

In our view, the Aboriginal standards should apply to all Aboriginal child welfare services, regardless of who is providing services. This is necessary not only because they were developed by Aboriginal people, but because the ministry is still (and likely will continue) providing most of the protection services Aboriginal children are receiving.

The ministry's Aboriginal child protection service delivery approach is only partly successful at delivering effective, equitably accessible and culturally appropriate services, mainly through delegated Aboriginal agencies

Although the ministry has some information to determine whether child protection services for Aboriginal children meet provincial standards, it does not know how well the service is meeting the needs of those children and their families and if services result in good outcomes. The ministry's measurement includes two main activities:

- an audit process to verify how well standards are met; and
- a case review process to analyze significant occurrences.

The ministry's audits of compliance with service delivery standards (both by Aboriginal agencies and by the ministry) concern us. We question whether the audits are measuring what is important in serving Aboriginal children. None of the audits measure "good" outcomes for the child. For example, closing a child protection investigation within 30 days is one of the 13 critical measures used in ministry audits. However, some directors and frontline staff we interviewed did not think this was a valid measure. In cases involving Aboriginal children and their families, completion of an investigation is usually a much longer process because of the complexity of the problems.

And furthermore, audit measures could determine the standards reviewed were met 100 per cent, yet fail to meet the needs of the Aboriginal child and his or her family. For example, an Aboriginal child and the family could be placed on a waitlist for services to develop the family's capacity to care for its children (such as anger management programs). By current audit measurement, this action (placement on a wait list) could constitute service delivery. Meanwhile, waiting can extend a child's separation from its family or if the family situation deteriorates during the wait period, the child could end up being harmed or put at greater risk.

Also, we noted that, even though 70 per cent of Aboriginal children in care are served by the ministry, audits of ministry services did not include culturally-appropriate service as a critical measure.

The ministry reports that Aboriginal children are overrepresented in government care; these results would indicate ministry practices are likely not effective. The Hughes Review and other reports have also made this clear. We expected the ministry to have defined how it measures the effectiveness of the services for Aboriginal child protection it provides. For example, are Aboriginal children

experiencing rapid and significant improvement when in immediate danger? Are they being served by the least intrusive measures approach to meet their needs? Are they better off having received the services? Instead, we found that the ministry does not use measures like these and is therefore unable to demonstrate whether its services are effective or not.

We recommend the ministry:

- **in consultation with First Nations and Aboriginal organizations, determine whether transfer of all child protection services to Aboriginal agencies is still viable and, if not, adjust the service delivery approach to support some continued Ministry service that meets the needs of Aboriginal children and their families;**
- **adopt the protection standards used by Aboriginal agencies as their own for Aboriginal children and their families; and**
- **in consultation with First Nations and Aboriginal organizations, develop and monitor measures that determine whether a child's needs are met and if good outcomes are achieved.**

The ministry has not identified the needs and resources required for Aboriginal child protection services

In his 2006 B.C. Children and Youth Review, the Hon. Ted Hughes recommended that the ministry assess the health, economic and social needs of Aboriginal communities, clarify funding responsibilities and provide appropriate supports.

We concluded that, with the exception of better clarification of funding responsibilities, the ministry has not done this. It does not have enough information to determine the amount and level of child protection services needed for Aboriginal children and their families. It can only speculate on the gap between the level of services currently being delivered and those needed. Therefore, lacking the basis on which to build a persuasive business case to present to funding authorities, the ministry faces funding gaps for these critical, but labour-and resource-intensive services.

The ministry lacks adequate information to know what the child protection needs of Aboriginal children and their families are and what services are required to meet those needs

Pockets of information exist on Aboriginal child welfare needs, including child protection. For example, needs assessments are carried out by Aboriginal agencies when they apply for delegation. Some regional profiles have also been done on a community-by-community basis. As well, the ministry's move to using Aboriginal child welfare teams is providing local information and experience that contributes to a better understanding of Aboriginal needs.

However, the ministry is not pulling this information together into a comprehensive overview of the amount and types of services Aboriginal children and their families require. This means that the Ministry cannot fully determine what services should be provided. It does not help that the ministry is still in the process of defining what is required for its own staff to deliver services in a culturally-appropriate way.

In recognition that the least disruptive service should always be used, we expected a minimum level of resources to employ the least disruptive intervention would be available to Aboriginal children and their families experiencing abuse or neglect. Ministry executive report these children have access to all ministry child protection services (see Exhibit 2), based on assessed need, though they may have to wait or travel. Frontline staff we interviewed identified resources to which they would like to direct Aboriginal families are

difficult to access, have long wait times, or do not exist. This means the information on what ministry services are used is not adequate to determine what services are required.

A next step—an analysis of service delivery, including gaps in service delivery and waitlist issues - is one the ministry knows is needed and has committed to complete in its Draft Good Practice Action Plan.

Exhibit 2:

Ministry Services for Aboriginal children at risk of abuse or neglect

- temporary respite care to help stressed parents look after their children
- child care so parents can attend self-help meetings, school or look for a job
- transportation to and from meetings
- housecleaning
- support for new mothers
- taking family cribs, toys, or food
- parenting classes and guidance (e.g., teaching parents how to connect and play with their children)
- budgeting assistance
- nutrition education (e.g., taking a parent to the grocery store to help learn about nutrition and making good choices on a budget)
- safety planning for families to deal with crises (e.g., the return of an abusive spouse)
- financial support (including emergency home repairs such as doors, locks, or windows,)
- therapy such as anger management, addictions counseling, family or play therapy
- community healing ceremonies and practices
- intensive child care programs to strengthen child's development and parent's capacity
- co-operative planning such as family conferences and mediation
- Kith and Kin (out-of-home care with a relative or person known to the child)
- Host Family care (out-of-home care for the entire family with a host family trained to mentor and support the parents)
- legal services and court-related activity

Source: Compiled by the Office of the Auditor General, based on Ministry of Children and Family Development listing of Family Development and Permanency Planning for Child[illegible] Youth service lines

The ministry has not identified the needs and resources required for Aboriginal child protection services

Payment responsibility for Aboriginal child protection is spread across authorities, creating the risk of service gaps

Involvement of both the federal and provincial governments creates the risk of service gaps. Three main players are involved:

- The Province has the ultimate authority and responsibility for protecting all Aboriginal children in British Columbia. A 1951 amendment to the Indian Act makes it clear that provincial child welfare laws and programs apply to all First Nations, on and off reserve.
- At the same time, Indian and Northern Affairs Canada (INAC) is responsible for paying for child welfare services for First Nations children and families living on reserve. The services paid for are expected to meet provincial legislation and standards, be reasonably comparable with those provided off-reserve to children in similar circumstances, and be culturally-appropriate.
- Delegated Aboriginal agencies deliver services to roughly 120 of the approximately 200 First Nations bands in British Columbia that manage their own child and family services or are actively planning to do so. This has been done by tripartite agreements with the federal and provincial governments. In addition, three delegated Aboriginal agencies deliver services to Aboriginal children and their families (including First Nations) living in urban areas. This arrangement is between the agency and the provincial government.

Ultimately, who pays for child protection services depends in part on the Indian status of the child at risk, and where the child normally resides. Two main authorities provide funding:

- INAC funds child protection services provided on reserve to First Nation child registered under the Indian Act. It provides funding to delegated agencies to cover the operating and administration costs of child welfare services on reserves and the costs related to children brought into the care of the government. Where the Province provides these services (in the absence of an agency) INAC reimburses the costs.

The ministry has not identified the needs and resources required for Aboriginal child protection services

- The province pays for child protection services to all Aboriginal children not funded by INAC—approximately 73 per cent of the Aboriginal children-in-care. (No federal funding is provided for people who live off-reserve).

The joint goal is equitable comparable access to services. Who should pay for ensuring that the services provided by delegated Aboriginal agencies are equitable with services provided by the ministry is a particular problem.

The federal funding formula does not limit the options for services a delegated Aboriginal agency may provide; however, in the view of the delegated agencies the amount of funding was insufficient to cover the cost of providing out-of-care options (such as placing a child at risk with extended family). Furthermore, both the National Policy Review in 2000 and the Wen:de report in 2005 concluded that federal funding rates are insufficient to pay for providing services comparable with those for non-First Nations children. The unintended consequence was that children were removed from their families (taking the child into care), as the funding for this option was being covered by INAC.

Before January 2008—the month INAC confirmed that out-of-care options would start to be reimbursed to the delegated Aboriginal agencies, with an effective date of April 2007—the ministry had been providing out-of-care options to children and families it served since 2002. During this time, the ministry was providing out-of-care options to the children it served on reserves; but did not fund delegated Aboriginal agencies to do so. In our view, this was a long delay affecting the Aboriginal children who were not provided with these least intrusive services.

The next step—to evaluate the degree to which services on reserve are comparable to those off reserve—is one the ministry knows is needed and has stipulated, in its Draft Good Practice Action Plan. We encourage the ministry to move forward with this initiative.

The provincial government in January 2008 endorsed the "child first—first contact pays" approach, known as Jordan's principle, to resolving jurisdictional disputes. This means that a First Nations child receives the service needed first, paid for by the first jurisdiction to be in contact. Disputes are resolved later. Widely viewed as a positive step, the province is the first to attempt to implement the principle.

The ministry has not identified the needs and resources required for Aboriginal child protection services

The ministry has not made a persuasive business case for securing the funding needed to run an effective child protection service for Aboriginal children

The ministry has oversight responsibility for all Aboriginal children in the province and for the transfer of services to delegated Aboriginal agencies. This responsibility includes identifying financial short-falls and seeking solutions for filling the gaps regardless of who is providing the funding.

The ministry has yet to develop a process to identify the financial resources required to provide the needed services. For example, the ministry received increases in its provincial funding in 2006/07 of $21.86 million, 2007/08 of $25.98 million, and estimates in 2008/09 to 2010/11 of $24.36 million each year, to support both aboriginal and non-aboriginal children-at-risk. It quickly developed and implemented 3-year regional plans to recruit staff and contract service providers to deliver more services and supports. Prior to this increase, most regions were facing substantial projected budget deficits. Two years into this process, all regions continue to describe their financial situation as underfunded. While the ministry reports that this work resulted in an improved process to address budget deficits, the level of funding received was not based on a community-by-community analysis to know how much funding is needed and where the money is needed most.

In addition, to allocate those Children-at-Risk funding increases, regions used their existing community contacts to help with planning. The ministry received feedback that in some areas delegated Aboriginal agencies had concerns about their level of involvement. The ministry recognized the consultation process was quick, and needs to be more inclusive.

The ministry does not sufficiently take into account their requirement to deliver services to meet the standards when identifying the financial resources required. Audits and reviews of compliance with the standards (their main tools for oversight) are not linked to levels of funding. The standards are seen as goals to aim for, rather than as minimum requirements. In the view of frontline staff, meeting the standards is often not possible within existing resources. This means the ministry response to not meeting a service standard does not sufficiently link to system-wide financial shortfalls.

The ministry has not identified the needs and resources required for Aboriginal child protection services

As the Ministry proceeded to support itself and the delegated Aboriginal agencies (mainly the urban agencies) to provide child protection services to Aboriginal children off reserves, it found the resources needed for doing this were greater than initially anticipated. For example, the ministry faces many challenges in finding adequate funds to transfer to the delegated Aboriginal agencies to support them for the responsibilities they take on for Aboriginal children. As much as the ministry is trying to provide a fair share of what it has available, both it and the agencies agree it is not enough to do the job right. .

Clear to us is the need for the ministry to go to the Province with a persuasive business case that presents the real cost of having staff and delegated Aboriginal agencies deliver effective, culturally-appropriate, Aboriginal child protection services. As part of this case, the ministry needs to state clearly where it is unable to meet its legislative and policy-driven responsibilities to Aboriginal children and their families with the funding currently available.

In addition, it has taken the ministry considerable time to approach INAC for revisions in the reimbursement rates and coverage for services it provides to Aboriginal child protection clients on reserves, including funding for out-of-care options. The rate of reimbursement and coverage was increased at the end of 2007, with an effective date of April 2006, the first increase since 1999. The ministry must be prepared with case and financial information—in collaboration with the delegated Aboriginal agencies—to work with INAC on how much should be paid to itself and to the agencies, on a regular basis.

The ministry should also consider joining forces with other ministries to make joint business cases when the solution requires a cross-ministry approach—for example, where more health care, such as substance misuse treatment, is needed to improve outcomes.

Success has been limited in obtaining appropriate human resources to deliver services in a culturally-appropriate way

Being able to deliver the right protection services in the right place at the right time includes knowing how many social workers are needed to manage the child welfare workload.

The ministry has a workload model to approximate the number of social workers it needs. This model, however, is not designed

The ministry has not identified the needs and resources required for Aboriginal child protection services

to include culturally-appropriate practices such as building relationships with each Aboriginal community and working collaboratively with extended Aboriginal families to find child protection solutions. The result: the workload of many ministry front-line workers and managers is underestimated, making it challenging for them to carry out their work.

The ministry has a draft human resources plan that, while providing a valuable workforce analysis and identifying a number of strategies for addressing the gap between the supply and demand, has not been updated since November 2006. In addition, though measures of progress were identified in the plan, no progress report was completed. Meanwhile, the ministry received funding for 112 new staff (not specific to Aboriginal child welfare) in 2007/08 ($10 million).

In our view, the human resources workforce planning is critical to service delivery and should be regularly updated and used by management to monitor the progress being made to fill the gaps (for example, determining what difference the funding for new staff made in easing the workload to better deliver Aboriginal child protection services). This information can support future development of a business case for funding.

Demand for qualified front-line workers also outweighs supply

The plan is for the delegated Aboriginal child protection agencies to be staffed by trained Aboriginal social workers and other workers, and also to use contracted Aboriginal service providers. During the transfer, the ministry is also recruiting Aboriginal workers. Post-secondary programs have been developed to recruit and train these candidates, but the demand for these social workers exceeds the supply. At the same time, this situation puts the ministry in the awkward position of having to compete for Aboriginal social workers (for the ministry's transition teams) while supporting the delegated agencies in building their own capacity.

Meanwhile, efforts have been made to increase access to Aboriginal service providers by building capacity among potential Aboriginal service providers. For example, the ministry initiated an Aboriginal Contracting Action plan in October 2007, developed collaboratively with Aboriginal service providers, to enable effective participation in the government contracting process. The action

The ministry has not identified the needs and resources required for Aboriginal child protection services

plan intent is for Aboriginal people to design and deliver services to Aboriginal children, though measures of success are not identified. However, the shortage of available Aboriginal support services is currently creating unreasonably long wait times and, in some cases, no option of culturally-appropriate services.

We recommend the ministry:

- **in consultation with First Nations and Aboriginal organizations, obtain province-wide, community-by-community knowledge of Aboriginal child protection needs;**
- **in consultation with First Nations and Aboriginal organizations, determine the resources (including social workers and support services) required to meet those needs in a culturally-appropriate way;**
- **make a persuasive business case for the funding needed to deliver the services in an effective way; and**
- **in partnership with Aboriginal agencies, develop Aboriginal human resources to meet the needs of both the Ministry and delegated Aboriginal agencies.**

The ministry's change management practices are not in step with its current service delivery goals

The ministry's goal of shifting Aboriginal child protection services to be culturally appropriate, equitably accessible and effective, mainly through delegated Aboriginal agencies, is a significant change from the former service delivery approach where the ministry carried out the investigations, and the decisions to keep Aboriginal children safe often meant they were taken from their families and communities.

To manage this change, the ministry needs two key pieces:

- extensive information on the present state of service delivery, on gaps (for example wait list issues) and on progress towards goals, all rolled up to a level useful for executive management and system oversight; and
- appropriate management structures for managing the change, including planning, implementing, evaluating and adjusting.

We concluded that ministry management practices have been of only limited success in moving the system to one where Aboriginal child protection services are culturally appropriate, equitably accessible and effective, delivered mainly through delegated Aboriginal agencies. As noted earlier, both the design and the resourcing of the shift have added to this result. In addition, one of the key ingredients missing is reliable information so that managers can evaluate how the ministry, delegated Aboriginal agencies, and the children and their families are doing.

We also concluded that although several groups deal with the oversight of Aboriginal child welfare issues—such as the Joint Aboriginal Management Committee and the Partnership Table—they are used more to air concerns than to seek solutions. Better use of these oversight forums and of senior ministry management is needed to guide the processes that can lead to better outcomes for Aboriginal children and their families.

The ministry's change management practices are not in step with its current service delivery goals

Leadership for managing the change established a sense of optimism for the future

Recognizing the ministry's experiences over recent years of overwhelming change, we expected executive to provide leadership to manage change. An atmosphere of cautious hope for future success was evident in most of the locations we visited. Ministry staff and delegated Aboriginal agency Executive Directors described the new leadership as communicative. Several frontline staff described meetings where they were asked about their concerns and suggestions. Executives said their input into the ministry direction met their requirements.

Scepticism is reasonable, given the ministry's problematic experience with change. An attitude of watch and wait to see what is actually accomplished was widespread. It was too early to determine if leadership would effectively manage future change.

The next step—to develop a comprehensive change management strategy (for example changing organizational culture, business processes, physical environment, job responsibilities, staff skills/knowledge and policies/procedures)—is one the ministry knows is needed and has stipulated, in its Draft Good Practice Action Plan. We encourage the ministry to move forward with this initiative.

Some ministry management practices support the goal of delivering culturally-appropriate services, but overall, such practices need to be more effective

Despite ministry efforts to adopt management practices that will help it meet its goal of providing Aboriginal children in need with culturally-appropriate protection, to date such practices have fallen short:

- The ministry's intent is to work collaboratively as it provides support to delegated Aboriginal agencies and also assesses them for readiness and later compliance with standards for delivering child protection services. The relationship is intended to be a partnership, as the agencies build capacity to take over Aboriginal child protection. According to the agencies, however, some ministry actions (for example, requiring the agencies to bid for funding to deliver specific services—in competition with contracted service providers) are not in the spirit of a partnership.

The ministry's change management practices are not in step with its current service delivery goals

- While the ministry stated that it had increased the number of its Aboriginal employees by 39 per cent in 2006/07, in fact that number still accounts for fewer than five per cent[2] of the ministry's total staff. The "Hughes Review" recommended that the ministry recruit more Aboriginal staff, particularly social workers who deal directly with Aboriginal children and families.
- The ministry does provide staff with some training on cultural sensitivity and appropriateness; but this work does not go far enough. Part of the problem is that the ministry has not even defined what it means by culturally-appropriate practice. It needs to do this and then to make such practice mandatory by its staff. Recently, the ministry has turned to developing a collaborative planning and decision-making initiative that will provide front-line workers with opportunities to use mediation and family group conferencing to help extended families come up with solutions to protect their children. The need for this initiative was first identified in 1992, but shifts in Ministry thinking and lack of funding have delayed its full implementation. In our view, if this renewed effort is to be successful, it must include regular evaluation by management to determine whether the work is meeting targets and is supported with adequate resources.

Some information on non-compliance, gaps and other problems is available to help management, but much better information is needed.

Audit information collected on the child protection practices of ministry and delegated Aboriginal agencies focuses on compliance with standards (in the ministry's case, 13 critical measures). These audits rely heavily on the ministry's information systems—which are known within the ministry to be hard to use and not up to date with revised practice. As a result, non-compliance statistics are ambiguous: were standards not met, or was information lacking to make the assessment? Furthermore, ministry audit recommendations focus on *what can be* accomplished within available resources rather than on *what should be accomplished*, limiting identification of resourcing problems that hamper delivery

[2] B.C. Child and Youth Review (Hughes Review).

The ministry's change management practices are not in step with its current service delivery goals

of good practice. The delegated Aboriginal agencies also sometimes question the usefulness of these audits, especially when underlying gaps in funding and resources are not followed up.

Other information collected includes the incidence of reportable circumstances (such as deaths and critical injuries of children receiving child protection services). The ministry responds by carrying out further investigations as warranted. Areas where practice could be improved are then identified and training takes place as needed. Complaints are another source of information, as is information collected by front-line workers on gaps in services (such as waiting lists for contracted services or unavailability of needed services). We learned, however, that this type of information is managed only locally and is not used to provide a province-wide view of the problems.

The ministry recognizes their information systems are outdated and known to be hard to use and not up to date with revised practice. During our audit the ministry was identifying their requirements for a new system, with the intent to implement it in 2010.

Lack of an effective collaborative approach by the provincial oversight groups means that action is not always taken even when information indicates non-compliance, gaps and other problems

Aboriginal child welfare issues, including child protection, are brought forward at regular meetings of oversight groups such as the Partnership Forum and the Joint Aboriginal Management Committee set up for this purpose.

- The Partnership Forum is made up of the Directors of the 24 delegated Aboriginal agencies and representatives from the Ministry and INAC. The Partnership Forum meets regularly and has identified a number of concerns it wants the ministry to address.
- The Joint Aboriginal Management Committee is made up of leaders of First Nations and other Aboriginal groups, the ministry and the federal government. The committee was not active during much of our audit.

The ministry's change management practices are not in step with its current service delivery goals

With loosely defined roles, these tripartite groups are used more to air concerns than to seek solutions. We encourage the ministry to find better ways to use these groups to develop solutions.

Within the ministry, the five Regional Executive Directors have formed a working group to combine forces to better implement initiatives such as practice changes and the transfer of practice to the delegated Aboriginal agencies. It is too early to determine the success this group is having on improving the ministry's ability to implement change.

While the groups have identified many significant issues, we feel that the ministry has neither the funding nor resource capacity to address all of the problems. We encourage the ministry to work more collaboratively with other provincial ministries, the federal government and other organizations to find solutions for better outcomes for Aboriginal children and their families.

Aboriginal governance, as it evolves, may impact the nature of this collaborative approach.

We recommend the ministry, in consultation with First Nations and Aboriginal organizations establish an effective change management strategy.

We recommend the ministry, in consultation with First Nations and Aboriginal organizations and Indian and Northern Affairs Canada, collect and evaluate meaningful information on any child protection service delivery gaps; and find solutions to close those gaps.

The ministry does not report on how well Aboriginal child protection services are being delivered

The ministry publishes an annual service plan report, and also uses an accountability framework to assess the extent to which objectives for services to children have been achieved. We expected that the service plan's information and the performance measures used would provide comprehensive and meaningful insights into the child welfare program. This is not the case. The ministry is not providing adequate accountability information to the Legislative Assembly and the public about the costs, successes and challenges of its child protection program for Aboriginal children and their families.

The ministry's latest annual service plan report (2006/07), talks about objectives and strategies, but provides little on the outcomes for the clients it serves. It reports goals, objectives, strategies, targets and results, for each measure along with their discussion and response. However, there is no rationale for the selection of the targets, and the results lack the credibility they would have if compared to other organizations or benchmarks.

The critical shortfall is that the report does not tell about the costs, successes and challenges the child protection and broader child welfare programs for Aboriginal children and their families experience. None of the measures the ministry uses evaluate the impact of services on Aboriginal children and their families. The B.C. Child and Youth Review in 2006 recommended: The ministry should establish a comprehensive set of measures to determine the real and long-term impacts of its programs and services on children, youth and their families and then monitor, track and report on these measures for a period of time. This information is still lacking.

Only two measures relate to Aboriginal child protection: 1) the number of Aboriginal children safely placed with extended family or in community as an alternative to coming into care over the last four years and 2) the percentage of Aboriginal children in care served by delegated Aboriginal agencies. In its report the ministry indicated it did not meet its targets.

The ministry does not report on how well Aboriginal child protection services are being delivered

This is a very limited amount of information on an important program. Many useful questions are left that remain unanswered, for example:

- What kinds of Aboriginal child protection services are provided and what is their availability?
- Are Aboriginal children better off after receiving child protection services?
- Are the services provided getting at the root causes of the need for Aboriginal child protection?
- Since the ministry can not reduce the need for Aboriginal child protection on its own, what is it doing to coordinate efforts with other ministries, the federal government and other entities with resources? And are those efforts making a difference?

We recommend the ministry provide information to the Legislative Assembly and the public on the costs, successes and challenges of the Aboriginal child welfare program, consistent with the B.C. Reporting Principles.

Appendix

Office of the Auditor General: 2008/2009 Reports Issued to Date

Report 1 — April 2008

An Audit of Joint Solution Procurement and the Revenue Management Project

Report 2 — April 2008

Strengthening Accountability in British Columbia: Trends and Opportunities in Performance Reporting

Report 3 — May 2008

Management of Aboriginal Child Protection Services

This report and others are available on our website at: http://www.bcauditor.com